

section 114 license allows the public performance of sound recordings by means of digital audio transmissions by nonexempt noninteractive digital subscription services and eligible nonsubscription services. 17 U.S.C. 114(f). The second license allows a service to make any necessary ephemeral reproductions to facilitate the digital transmission of the sound recording. 17 U.S.C. 112(e).

Licensees may operate under these licenses provided they pay the royalty fees and comply with the terms set by the Copyright Royalty Judges. The rates and terms for the section 112 and 114 licenses are set forth in 37 CFR part 380. As part of the terms set for these licenses, the Judges designated SoundExchange, Inc., as the organization charged with collecting the royalty payments and statements of account submitted by eligible nonsubscription services such as, among others, Commercial Webcasters and Broadcasters, and distributing the royalties to the copyright owners and performers entitled to receive such royalties under the section 112 and 114 licenses. 37 CFR 380.4(b)(1) (Commercial Webcasters), 380.13(b)(1) (Broadcasters). As the designated Collective, SoundExchange may conduct a single audit of a licensee for any calendar year for the purpose of verifying their royalty payments. SoundExchange must first file with the Judges a notice of intent to audit a licensee and serve the notice on the licensee to be audited. 37 CFR 380.6(c), 380.15(c).

On August 8, 2012, SoundExchange filed with the Judges separate notices of intent to audit DKCM, Inc., a Commercial Webcaster, and Greater Media, Inc., a Broadcaster, for the years 2009, 2010, and 2011. Sections 380.6(c) and 380.15(c) require the Judges to publish a notice in the **Federal Register** within 30 days of receipt of the notice announcing the Collective's intent to conduct an audit.

In accordance with §§ 380.6(c) and 380.15(c), the Copyright Royalty Judges are publishing today's notice to fulfill this requirement with respect to SoundExchange's respective notices of intent to audit DKCM, Inc., and Greater Media, Inc., each filed August 8, 2012.

Dated: August 22, 2012.

**Suzanne M. Barnett,**  
Chief Copyright Royalty Judge.

[FR Doc. 2012-21049 Filed 8-24-12; 8:45 am]

**BILLING CODE 1410-72-P**

## OFFICE OF MANAGEMENT AND BUDGET

### OMB Sequestration Update Report to the President and Congress for Fiscal Year 2013

**AGENCY:** Executive Office of the President, Office of Management and Budget.

**ACTION:** Notice of availability of the OMB Sequestration Update Report to the President and Congress for FY 2013.

**SUMMARY:** Public Law 112-25, the Budget Control Act of 2011 (BCA, "the Act") amended the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA) by reinstating the discretionary spending limits that had expired after 2002. Section 254 of the BBEDCA requires the Office of Management and Budget (OMB) to issue a Sequestration Update Report on August 20th of each year on the overall status of discretionary legislation. This report provides OMB's current estimates of the spending limits set in the Act and OMB's scoring of pending appropriations legislation against those limits as of August 2012. As required, these estimates rely on the same economic and technical assumptions used in the President's 2013 Budget, which the Administration transmitted to the Congress on February 13, 2012.

**DATES:** *Effective Date:* Sec. 254(b).  
**SUBMISSION AND AVAILABILITY OF REPORTS.**—Each report required by this section shall be submitted, in the case of CBO, to the House of Representatives, the Senate and OMB and, in the case of OMB, to the House of Representatives, the Senate, and the President on the day it is issued. On the following day a notice of the report shall be printed in the **Federal Register**.

**ADDRESSES:** The OMB Sequestration Reports to the President and Congress is available on-line on the OMB home page at: [http://www.whitehouse.gov/omb/legislative\\_reports/sequestration](http://www.whitehouse.gov/omb/legislative_reports/sequestration).

**FOR FURTHER INFORMATION CONTACT:** Thomas Tobasko, 6202 New Executive Office Building, Washington, DC 20503, Email address: [tobasko@omb.eop.gov](mailto:tobasko@omb.eop.gov), telephone number: (202) 395-5745, FAX number: (202) 395-4768 or Jenny Winkler Murray, 6236 New Executive Office Building, Washington, DC 20503, Email address: [jwinkler@omb.eop.gov](mailto:jwinkler@omb.eop.gov), telephone number: (202) 395-7763, FAX number: (202) 395-4768. Because of delays in the receipt of regular mail related to security screening,

respondents are encouraged to use electronic communications.

**Jeffrey D. Zients,**  
*Acting Director.*

[FR Doc. 2012-20939 Filed 8-24-12; 8:45 am]

**BILLING CODE P**

## NATIONAL SCIENCE FOUNDATION

### Notice of Permit Applications Received; Under the Antarctic Conservation Act of 1978 (Pub. L. 95-541)

**AGENCY:** National Science Foundation.

**ACTION:** Notice of Permit Applications Received under the Antarctic Conservation Act of 1978, Public Law 95-541.

**SUMMARY:** The National Science Foundation (NSF) is required to publish a notice of permit applications received to conduct activities regulated under the Antarctic Conservation Act of 1978. NSF has published regulations under the Antarctic Conservation Act at Title 45 Part 670 of the Code of Federal Regulations. This is the required notice of permit applications received.

**DATES:** Interested parties are invited to submit written data, comments, or views with respect to this permit application by September 26, 2012. This application may be inspected by interested parties at the Permit Office, address below.

**ADDRESSES:** Comments should be addressed to Permit Office, Room 755, Office of Polar Programs, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22230.

**FOR FURTHER INFORMATION CONTACT:** Polly A. Penhale at the above address or (703) 292-7420.

**SUPPLEMENTARY INFORMATION:** The National Science Foundation, as directed by the Antarctic Conservation Act of 1978 (Pub. L. 95-541), as amended by the Antarctic Science, Tourism and Conservation Act of 1996, has developed regulations for the establishment of a permit system for various activities in Antarctica and designation of certain animals and certain geographic areas requiring special protection. The regulations establish such a permit system to designate Antarctic Specially Protected Areas.

The applications received are as follows:

#### 1. Applicant

Philip R. Kyle, Department of Earth and Environmental Science, NM